

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LIBERTARIAN PARTY OF ERIE COUNTY,
MICHAEL KUZMA, RICHARD COOPER, GINNY
ROBER, PHILIP M. MAYOR, MICHAEL
REBMANN, EDWARD L. GARRETT, DAVID
MONGIELO, JOHN MURTARI, and WILLIAM A.
CUTHBERT,

15-cv-00654-FPG

Plaintiffs,

- against -

ANDREW M. CUOMO, individually and as Governor
of the State of New York; ERIC T. SCHNEIDERMAN,
individually and as Attorney General of the State of
New York; JOSEPH A. D'AMICO, individually and as
Superintendent of the New York State Police;
MATTHEW J. MURPHY, III, individually and as
Niagara County pistol permit licensing officer; DENNIS
M. KEHOE, individually and as Wayne County pistol
permit licensing officer; and M. WILLIAM BOLLER,
individually and as Erie County pistol permit licensing
officer,

Defendants.

DECLARATION OF WILLIAM J. TAYLOR, JR.

WILLIAM J. TAYLOR, JR., an attorney duly admitted to practice before this Court,
declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an Assistant Attorney General in the office of ERIC T. SCHNEIDERMAN,
Attorney General of the State of New York. This Office represents defendants Andrew M.
Cuomo, Governor of the State of New York; Eric T. Schneiderman, Attorney General of the
State of New York; Joseph A. D'Amico, Superintendent of the New York State Police; the
Honorable Matthew J. Murphy III, Niagara County Court Judge; the Honorable Dennis M.
Kehoe, Wayne County Judge and Acting New York State Supreme Court Justice; and the

Honorable M. William Boller, Judge of the New York State Court of Claims and Acting New York State Supreme Court Justice (collectively, the “Defendants”) in the above-captioned action.

2. I submit this declaration in support of the Defendants’ motion, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss with prejudice plaintiffs’ Amended Complaint, dated December 23, 2015, for the limited purpose of providing the Court with true and accurate copies of the following documents referenced in the accompanying Memorandum of Law in Support of Defendants’ Motion to Dismiss the Amended Complaint, dated April 29, 2016:

Exhibit	Exhibit Description
A	Amended Complaint, dated December 23, 2015 (ECF Docket No. 17)
B	Complaint, dated July 21, 2015 (ECF Docket No. 1).
C	Reinstatement Order, <i>In the Matter of the Pistol Permit of David J. Mongielo</i> (Niagara Cnty. Ct. Feb. 18, 2016) (Murphy, J.)
D	Order, <i>In the Matter of William A. Cuthbert for a Firearms License Pursuant to NYS Penal Law Section 400.00</i> (Sup. Ct. Erie Cnty. May 4, 2015) (Boller, J.)
E	Hon. Dennis M. Kehoe, Letter Decision Regarding Pistol Permit Application of John Murtari, dated November 24, 2015.
F	Notice of Petition and Verified Petition, <i>Matter of Chomyn</i> , dated and filed August 7, 2015 (App. Div. 4th Dep’t).
G	Daniel W. Webster & Garen J. Wintemute, <i>Effects of Policies Designed to Keep Firearms from High-Risk Individuals</i> , 36 Ann. Rev. Pub. Health 21 (2015).
H	Daniel Webster et al., <i>Effects of the Repeal of Missouri’s Handgun Purchaser Licensing Law on Homicides</i> , 91 J. Urban Health 293 (2014) (erratum: 91 J. Urban Health 598 (2014)).

Exhibit	Exhibit Description
I	Kara E. Rudolph et al., <i>Association Between Connecticut's Permit-to-Purchase Handgun Law and Homicides</i> , 105 Am. J. Pub. Health e49 (2015).
J	Daniel W. Webster et al., <i>Preventing the Diversion of Guns to Criminals through Effective Firearm Sales Laws</i> , in <i>Reducing Gun Violence in America: Informing Policy with Evidence and Analysis</i> 109 (2013).
K	Daniel W. Webster et al., <i>Relationship Between Licensing, Registration, and Other Gun Sales Laws and the Source State of Crime Guns</i> , 7 Injury Prevention 184 (2001).
L	Cassandra K. Crifasi et al., <i>Effect of Changes in Permit-to-Purchase Handgun Laws in Connecticut and Missouri on Suicide Rates</i> , 79 Preventive Medicine 43 (2015)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: New York, New York
April 29, 2016

/s/ William J. Taylor, Jr.
William J. Taylor, Jr.
Assistant Attorney General